



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

MANAF CHEHABI,

Plaintiff,

vs.

CONTINENTAL CASUALTY CO.,
PATRIOT EQUIPMENT LTD, and
ENRIQUEZ CHAPA,

Defendants.

Case No.

CJ-2018-4401

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

AUG 14 2018

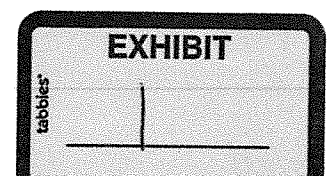
RICK WARREN
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PETITION

COMES NOW the Plaintiff Manaf Chehabi and for his cause of action against the Defendants Continental Casualty Co., Patriot Equipment LTD, and Enriquez Chapa alleges and states as follows:

1. On or about October 5, 2016, in Oklahoma City, Oklahoma, Oklahoma County, the Defendants, through their agents and/or employees, negligently operated their semi-truck in such a manner so as to cause a collision between their semi-truck and that of a vehicle in which Plaintiff was a passenger.
2. That at all relevant times herein, Defendant Enriquez Chapa was working under his scope and duty of employment with Defendant Patriot Equipment LTD.
3. That Defendant Patriot Equipment LTD is responsible for the negligent actions of its employee Defendant Enriquez Chapa under the theory of respondeat superior.
4. Plaintiff pleads that, in the alternative, if Defendant Enriquez Chapa was not acting under his scope and duty of employment, that he was negligent in causing a collision between the semi-truck he was driving and with a vehicle in which Plaintiff was a passenger.



5. That Defendant Continental Casualty Co. was the insurance carrier for Defendant Patriot Equipment LTD and Defendant Enriquez Chapa and is therefore a necessary named party to this claim pursuant to 47 O.S. § 169.1; Boyles v. Oklahoma Natural Gas, Co., 619 P.2d 613; Denco Bus Lines v. Hargis, 229 P.2d 339, and; Daigle v. Hamilton, 782 P.2d 1379.
6. That as a result, the Defendants, through their agents and/or employees, are liable to the Plaintiff for damages suffered as follows:
 - A. Medical expenses incurred and expected to be incurred in the future.
 - B. Pain and suffering, past and future.
 - C. Lost Wages;
 - D. Disfigurement; and
 - E. Other damages to be set forth after discovery; all of which are in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C §1332.

WHEREFORE, Plaintiff prays for judgment against the Defendants as set forth above with his costs, interest and other such relief the Court shall deem proper.

RESPECTFULLY SUBMITTED,

WEST ♦ YLLA ♦ GOSNEY



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